

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: J. G. Ustaris
KAZUNORI ARIMA)	
	:	Art Unit: 2623
Appln. No.: 09/742,124)	
	:	Conf. No.: 7920
Filed: December 22, 2000)	
	:	
For: DIGITAL BROADCAST)	
RECEIVING APPARATUS	:	
AND RECEIVING METHOD,)	
DIGITAL BROADCAST SYSTEM,	:	
AND DIGITAL BROADCAST)	
TRANSMITTING/RECEIVING	:	
METHOD)	February 20, 2008

Mail Stop: Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

In response to the Office Action of November 20, 2007, the Examiner is respectfully requested to consider the following remarks.

This application has been reviewed in light of the Office Action dated November 20, 2007. Claims 1, 2, 19, 21, 23 and 51-54 are presented for examination, of which Claims 1, 2, 19, 21 and 23 are in independent form. Favorable reconsideration is requested.

In the outstanding Office Action, Claims 1, 2, 19, 21, and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,973,685 (*Schaffa*) in view of U.S. Patent 5,978,013 (*Jones*), and U.S. Patent No. 6,089,765 (*Mori*). Claims 51-54 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Schaffa*, *Jones*, and *Mori*, and in further view of U.S. Patent 6,507,362 (*Akerib*). Applicant respectfully traverses the rejections of Claims 1, 2, 19, 21, 23, and 51-54 and submits that independent Claims 1, 2, 19, 21, and 23, together with the claims dependent therefrom, are patentably distinct from the cited prior art for at least the following reasons.

Independent Claim 1 is directed to a digital broadcast receiving apparatus that comprises means for setting a digital broadcast program and a print reservation of partial content which is provided in the program and can be displayed on a display when the program plays, in advance, based on a table of programs received from a digital broadcast station. There are also provided means for receiving a digital broadcast of the program set by the setting means, and means for extracting the partial content set by the setting means. Judging means judge whether or not extracted partial content includes an information part print-output of which is not permitted, based on print information in a header of the partial content, the print information indicating whether printing of the information part is permitted or not permitted, and printing means print-output the extracted partial content. More specifically, the printing means print-output only that portion of the extracted partial content other than the information part when the judging means judge that the extracted partial content includes the information part.

Two notable feature of the apparatus of Claim 1 are the judging means and the printing means. By virtue of these features when content permitted to be displayed includes a print-prohibition part (i.e., a part that is not to be permitted to be printed based on print information in a header of the partial content), a user who has reserved (i.e., pre-ordered) printing of the content, is prohibited from printing the print-prohibition part. Thus, since the apparatus of Claim 1 only prohibits printing of the print-prohibition part, the user can still obtain a print-out of the desired content that is not print-prohibited.

As Applicant understands the Examiner's analysis on pages 6 and 7 of the Office Action, the Examiner contends that the plurality of coupons in *Jones* teach or suggest the extracted partial content of Claim 1. Applicant respectfully disagrees with this conclusion, and submits that the combination of *Schaffa*, *Jones*, and *Mori* is not capable of teaching or suggesting the features of Claim 1.

The *Mori* system, as understood by Applicant, relates to a printing system where header information may be added to the print job data depending on whether or not the print job is intended to be reprinted after the initial printing. If the print job is to be reprinted, header information is added to the print data where the header information includes information used to indicate that the data is intended for reprinting. The header information is added to the entire print job, not just partial content, and thus any instruction contained by the header information is used to inform the printer of whether to print the entire content of the print job. Moreover, *Mori* does not teach or suggest the use of header information in the first processing of the content to be used to determine whether

to print partial content. *Mori* at most appears to teach that the first print job will always be printed, and that reprints can be made only if the header information has been added to the entire print job data for subsequent print jobs.

Furthermore, *Jones* does not remedy the deficiencies of *Mori*.

The *Jones* system, as understood by Applicant, is for printing coupons from a broadcaster, and permits a user to print a coupon when a broadcaster gives permission. Moreover, as admitted by the Examiner on page 4 of the Office Action, the alleged judging means of *Jones* apparently judges whether or not one of the plurality of coupons has been printed previously. Therefore, at most *Jones* teaches to effect a prohibition on the printing of a coupon, at the time when it is sought to re-print the coupon.

The teaching of *Mori* adds nothing to the teaching of *Jones* because, as already mentioned, the header information added to the print job in *Mori*'s system apparently only includes information about whether or not to permit reprinting, which is what the Examiner admits is already taught by *Jones*. However, neither *Jones* nor *Mori* teach or suggest a device having a judging means that can use a header of the partial content to permit or allow printing of an information part at any time (including the initial printing).

For these reasons, Applicant believes that Claim 1 is allowable over the art cited against it, even assuming for purposes of argument that the proposed combination of references would be a permissible one.

The other independent claims are each a method or a computer memory medium claim corresponding to apparatus Claim 1, or are directed to an apparatus having features substantially like those discussed above in connection with Claim 1, or to a system including such an apparatus. Accordingly, each of the independent claims is thought to be allowable for at least the same reasons as discussed above in connection with Claim 1.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. All of the independent claims are therefore believed patentable over the art of record.

The other claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing remarks, Applicant respectfully requests favorable reconsideration and allowance of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Leonard P. Diana", written over a horizontal line.

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